

A Local Law: Penalties for Violation of General Municipal Law Section 136 (Junk Motor Vehicles).

In order to insure the effective enforcement of Section 136 of the General Municipal Law of the State of New York, hereinafter referred to as Section 136, and all acts of the Legislature of the State of New York amending or extending the same except penalty provisions in the Village of Cassadaga, County of Chautauqua, State of New York.

Be it enacted by the: Board of Trustees of the Village of: Cassadaga as Follows:

Section 66-2-1.

Any person subject to Section 136 who commits or permits any act in violation of any of the provisions of Section 136 shall be subject to such punishment and/or penalties as hereinafter provided. Each day any such violation shall continue or be permitted to exist shall constitute a separate violation.

Section 66-2-2.

Any person violating Section 136 shall be subject to a civil penalty enforceable and collectable by the Village in the amount of \$100.00 for each such violation.

Section 66-2-3.

Any person failing to pay the penalty in Section 66-2-2 of this Local Law shall be deemed guilty of an offense and subject to a fine of not more than \$100.00 or imprisonment not exceeding 60 days, or by both such fine and imprisonment.

Section 66-2-4.

Conviction for any violation shall constitute and effect an immediate forfeiture of any issued license, and/or certificate of approval for location.

Section 66-2-5.

Any Person who shall have any license and/or certificate of approval for location revoked, forfeited or cancelled for any reason and any person who on applying for a license and/or certificate of approval for location pursuant to Section 136 has a license and or certificate of approval for location denied, shall together with the record owner of the real property which is the subject of a license and/or certificate of approval for location be given a written notice by the Village Clerk which notice shall be served by mailing the same by registered or certified mail to the last known addresses of said person and/or owner directing the removal from the said premises of all items and materials set forth in Subdivision 2 of Section 136 within thirty (30) days of the date of the mailing of said notice by said person and/or owner at his or their own cost and expense.

Section 66-2-6.

If the said person and/or owner fails to remove said materials from the premises as provided in Section 66-2-5 of this Local Law the Board of Trustees may order the Village Superintendent of Streets to remove the materials kept in violation of this Local Law and Section 136 and the cost thereof shall become a lien upon said property and notice thereof shall be filed with the Village Clerk who shall keep an indexed record. thereof in the name of the record owner of the real property in question, and said cost shall be placed on the next tax roll for the collection as part of the Village Tax.

Section 66-2-7.

Any person interfering with the enforcement of Section 66-2-6 shall be guilty of an offense and subject to a fine of not more than \$100.00 or imprisonment not to exceed 60 days, or both such fine and imprisonment.

Section 66-2-8.

In addition to the above provided penalties and punishment, the Board of Trustees may also maintain an action or proceeding in the name of the Village in a court of competent jurisdiction to compel compliance with or to restrain by injunction any violation of said Section 136.

Section 66-2-9.

All ordinances or regulations heretofore adopted in conflict with this Local Law are hereby repealed.

Section 66-2-10.

If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not effect, impair or invalidate the remainder thereof, but shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 66-2-11.

This Local Law shall take effect upon the twenty-first day after having been adopted, but in no case before the filling of a certified copy of the same in the office of the Secretary of State of New York.